THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.10082 of 2004

ORAL ORDER:

It appears, petitioners are fair price shop dealers of various villages in Dahgaou mandal of Asifabad Division, Adilabad district. They have been running the shops for the last several years. However, suddenly in the year 2004, the supply of essential commodities to their shops were stopped on the ground that they have no valid authorisation and the authorisation if any held by them was not renewed properly.

It is the case of the petitioners that Dahgaou mandal being a remote area in Adilabad district and it is a practice to deposit money with the Mandal Revenue Officer along with renewal application, so that the same could be transmitted to the Revenue Divisional Officer, Asifabad. The learned counsel for petitioner states that the petitioners since the essential commodities were being supplied, they were under the impression that the authorisations held by them were renewed year after year. While so, fresh applications were called for filling up the fair price shops held by the petitioners. Hence this writ petition.

It seems the authorisations of the petitioners were not renewed, but the fact remains that till 2004, petitioners were supplied with essential commodities for being distributed to the respective cardholders. This itself shows that at one point of time, the petitioners were having valid authorisations and the only question is that whether their authorisations were renewed, as required under law, or not. If really since 1999 there was no authorisation, it is not proper on the part of the respondent authorities for supplying the essential commodities to the petitioners. It appears that the petitioners have deposited some amounts for renewal of their authorisations, but they did not approach

proper authority, therefore, their authorisations were not renewed and without there being any renewal for more than four years, the essential commodities were supplied.

This Court by order dated 21.6.2004 directed the respondent to allow the petitioners to distribute the essential commodities by supplying the same after receipt of the amounts paid by the petitioners.

In view of the above, without expressing any opinion on merits, the petitioners are directed to file fresh applications before the Respondent herein along with proper demand drafts and other documents as required thereunder within a period of three weeks from the date of receipt of a copy of this order. On filing such applications, the Respondent shall entertain and consider the same as per law within a period of eight weeks thereafter. Till such time, the interim order passed by this Court on 21.6.2004 shall continue.

With the above direction, the writ petition is disposed of. No order as to costs.

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C.V.RAMULU,
J

Date: 6.11.2006

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W.P.No.10082 of 2004

6.11.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.10082 of 2004

Date: 6th November, 2006

Between:

K.Vasantha & others.

.. Petitioner

And

The Sub-Collector,
Asifabad, Adilabad district.

.. Respondent